

APPENDIX C

CONDITIONS OF APPROVAL

Items 1, 2, 3, 4, 5, 7, 10, 13, 14, and 16 of the Master Surface Use Plan (see Appendix D of the attached Environmental Assessment) have no changes.

6. Pads and Pits/Construction/Operations

D. The foreslope will be no steeper than 1.5:1

G. A pit liner shall be required. The pit liner permeability will be less than 10^{-7} cm/sec and have a burst strength equal to or exceeding 300 pounds per square inch (psi), a puncture strength of 160 psi or greater and grab tensile strength of 150 psi or greater. The liner will be resistant to deterioration by hydrocarbons. Liners will not be installed directly on rock. The pit will first receive a layer of bedding material (e.g., sand or geotextile fiber liner) sufficient to prevent contact between the liner and any exposed rock. The pad will be designed so that runoff from adjacent slopes will not flow into the reserve pit.

J. The reserve pit will be fenced on the fourth side immediately after rig removal.

8. Location and Type of Water Supply

C. A right-of-way will be required for the water haul route located outside the project area.

9. Methods of Handling Waste Materials

D. A portable chemically treated, self-contained latrine will be placed at each well location while drilling.

H. A Spill Prevention, Control, and Countermeasures Plan will be available on site for use in case of a release of hazardous materials.

11. Location of Existing and/or Proposed Facilities (For Production)

Production facilities will be placed on 0.7 acre maximum surface area. The remainder of the pad will be shaped to original contour and seeded in accordance with the specified seed mixture.

B. The pipeline routes will follow road corridors.

12. Plans for Reclamation of the Surface:

B. Producer

4. The production equipment color will be Carlsbad Canyon Munsell standard color No: 2.5Y 6/2).

15. Additional Stipulations.

E. Correct the typo ERCL to read CERCLA.

Miscellaneous: The Operator of these wells is responsible for complying with the Wyoming DEQ Notice dated February 4, 1997 regarding "Installation of Production Equipment Air Quality Permit Requirements. The notice advises "all oil and gas producers, including operators, subcontractors, rental equipment suppliers and oil and gas production service companies, that prior to installation of any oil and gas well production equipment which has the potential to emit air contaminants into the air of the state, the owner or operator of the equipment must notify the Wyoming Department of Environmental Quality, Air Quality Division to determine permit requirements. The Air Quality Division will provide the owner/operator with forms and guidelines for permitting and controlling air contaminant emissions from this equipment."

"Virtually all well production equipment, including fuel fired equipment, separators, storage tanks, engines, and dehydrators has the potential to emit air contaminants. Failure to notify the Division pursuant to the above could result in enforcement actions and appropriate penalties."

Lease Stipulations:

WYW 153613

TLS (1) Mar 1 to Jun 30; (2) as mapped on the Rock Springs Field Office GIS Database; protecting sage grouse nesting habitat.

CSU (1) Surface occupancy or use within the Red Desert Watershed will be restricted or prohibited unless the operator and surface management agency arrive at an acceptable plan for mitigation of anticipated impacts; (2) entire lease; (3) protecting watershed, visual, wildlife, and soils.

WYW152180 and WYW 154200

TLS(1) Mar 1 to Jun 30; (2) as mapped on the Green River Resource Area GIS database; (3) protecting sage grouse nesting habitat.

Special conditions:

The following measures are required to eliminate or minimize impacts. The special conditions identified below may add to, duplicate, modify, or clarify measures contained in Appendix B (Applicant Committed Measures) and Appendix D (Master Surface Use and Operations Plan and Addendum to Master Surface Use Plan) of the attached Environmental Assessment.

1. The proponent shall seek appropriate permits and/or follow state protocol for approval of all on-site temporary or permanent equipment used in association with this project including required permits from the Wyoming Department of Environmental Quality, Air Quality Division.
2. If injection wells are not drilled first, wells will be capped when the reserved pit capacity (including 2 ft of freeboard) is reached. No hauling of produced water will be permitted.
3. All equipment will be washed prior to entering the project area in order to prevent or minimize the spread of invasive species.
4. Wild horses will be given the right of way and reduced speed limits will be implemented especially if work is done at night.
5. The proponent shall immediately contact the BLM Field Manager (Authorized Officer) if any paleontological resources or fossils are discovered as a result of operations. All activities will be suspended in the vicinity of such discovery until notified to proceed by the Authorized Officer. The Authorized Officer will evaluate, or will have evaluated, such discoveries not later than 5 working days after being notified, and will determine what action shall be taken with respect to such discoveries. The decision as to the appropriate measures to mitigate adverse affects to significant paleontological resources will be made by the Authorized Officer after consulting with BLM's regional Paleontologist. The proponent will be responsible for the cost of any investigation necessary for the evaluation and for any mitigative measures.
6. Should paleontological materials be found during project implementation, all activities within a 100 ft radius shall cease and BLM's authorized office notified immediately.
7. During the processing of APDs or ROWs, BLM shall determine whether a paleontological survey is required.
8. The proponent shall initiate a worker education of important fossil remains and restrictions on collection of paleontological resources without a permit. The proponent shall be responsible for informing all persons associated with the project that they could be subject to prosecution for damaging, altering, excavating, or removing any vertebrate fossil objects on site. Should vertebrate fossil materials be discovered, the operator is to suspend all operations that further disturb such materials and contact the Authorized Officer immediately. Operations will not resume until written authorization to proceed is issued by the Authorized Officer.
9. The proponent shall be responsible for the cost of any mitigation required by the Authorized Officer. The Authorized Officer would provide technical and procedural guidelines for the conduct of mitigation. Upon verification from the Authorized

Officer that the required mitigation has been completed, the operator should be allowed to resume operations.

10. All individual cultural clearances will be approved prior to authorizing individual well APDs.
11. All surface or vegetative disturbing activities associated with individual actions will be monitored by a professional archaeologist.
12. The proponent shall initiate a worker education of cultural resources and restrictions on collection of such resources. The proponent shall be responsible for informing all persons associated with the project that they could be subject to prosecution for damaging, altering, defacing, excavating, removing, selling or offering to sell any cultural resource of archaeological importance.
13. If at any time during construction, maintenance, or use of in the project area, previously unanticipated or unknown cultural resources are discovered, all activities would be suspended in the area of discovery. Continued operation would be conducted in such a fashion as to permit no further damage to the discovered cultural resource. Protective measures could be implemented in consultation with BLM and the Wyoming State Historic Preservation Office. Work would not resume in the area of discovery until a written Notice to Proceed is issued by BLM's Authorized Officer.
14. If at any time during construction, maintenance, or use of in the project area, previously unanticipated or unknown cultural resources are discovered, all activities will be suspended in the area of discovery. Continued operations will be conducted in such a fashion as to permit no further damage to the discovered cultural resource. Protective measures will be implemented in consultation with BLM and the Wyoming State Historic Preservation Office. Work will not resume in the area of discovery until a written Notice to Proceed is issued by BLM's Authorized Officer.
15. Mitigation of effects to cultural resources will be determined through consultation between the BLM and the Wyoming State Historic Preservation Officer and affected Tribes as appropriate. Protective measures may be required to preserve significant cultural resources outside the direct impact zones as well.
16. Any work camps needed by the proponent will be permitted separately.
17. In the event drilling is non-productive at any given site, all disturbed areas associated with that site, including the well site and access road, will be reclaimed to the approximate landform existing prior to construction. Following construction, all areas not occupied by project features will be reclaimed in the next growing season, or as directed by the BLM. Remaining disturbed areas would be reclaimed following abandonment of project components. The seed mix to be used is found below.

Lower Bush Creek Project Seed Mixtures		
Species	Variety	Drill Seeding Rate (lbs. Per acre pure live seed)
General Seed Mixture		
Thickspike wheatgrass	Critana	3.0
Western wheatgrass	Rosanna	3.0
Indian ricegrass		3.0
Sandberg bluegrass		3.0
Blue flax		0.25
Winterfat		1.0
TOTAL		13.25
Sandy Sites Seed Mixture		
Thickspike wheatgrass	Critana	4.0
Sandberg bluegrass		4.0
Indian ricegrass		4.0
Rocky Mountain penstemon		1.0
Shadscale		2.0
TOTAL		15.0
Saline/Sodic Soils Seed Mixture		
Western wheatgrass	Rosanna	3.0
Sandberg bluegrass		3.0
Indian ricegrass		3.0
Bottlebrush squirreltail		3.0
Rocky Mountain beeplant		1.0
Gardner saltbush		2.0
TOTAL		15.0

18. Standard success criteria would be based on attainment of total vegetation cover. Standard success criteria would be based on attainment of 50% of predisturbance cover in three years and 80% of predisturbance cover in five years. These identified seed mixes could be modified or added to by the BLM, as needed or required to meet the RSFO objectives for reclamation.
19. If seeding the first fall can not be completed, seeding shall be done in the early spring prior to April 15th.
20. Any snow removal shall be done in a manner that will not preclude movement by big game.
21. The GRRMP contains mitigating practices that protect the breeding, nesting and brood-rearing activities of sage grouse from February 1 to July 31. "No surface occupancy" stipulations apply within a one-quarter mile buffer around active leks. Road use will be limited within 1/4 mile of an active lek between 6 pm and 9am February 1 through May 15.
22. Construction of structures that could be used for raptor perches will be avoided or mitigated to prevent raptor perching. Exceptions may be granted if the activity would occur in unsuitable nesting habitat.

23. If construction activities are planned during breeding, nesting and brood rearing seasons (February 1 through July 31), surface disturbing activities would not occur within one mile of an active ferruginous hawk nest, and one-half mile of all other raptors. Construction of structures that could be used for raptor perches would have “anti-perch” devices or would be constructed in such a manner as to restrict perching by birds-of-prey. Surveys should be conducted prior to construction if construction activities are planned to occur between February 1 and July 31.
24. Entire project area will be treated as suitable mountain plover habitat. If construction activities are planned to occur during mountain plover breeding, nesting, or rearing seasons (April 10 to July 10), surveys must be conducted according to USFWS guidelines prior to the activities to determine the presence or absence of the species in the project area. If this species is found, the BLM shall be notified so formal conferencing with USFWS can be initiated.
25. Should a mountain plover nest, chick, or egg be observed during construction, all work would be stopped within 1/4 mile and BLM notified immediately. In mountain plover habitat, reclamation seed mixes would include species that would not exceed 6 inches in height.
26. Roads and pipelines will be designed to minimize the amount of disturbance to suitable plover habitat.
27. No stopping and getting out of vehicles along roadways will be allowed in suitable mountain plover habitat during the breeding and nesting period (April 10 to July 10) except in an emergency situation.
28. Produced water will be fully tested and if analysis proves the water is toxic to migratory birds, reserve pits will be netted. Toxicity thresholds will be determined using FWS’ guidelines (i.e., selenium thresholds). Netting will have a weave sufficiently small enough to prevent small migratory birds from entering the pits.
29. Water quality testing of injection wells will be conducted and submitted to BLM.
30. BLM will allow the proponent to test use of special purpose roads as shown on the map contained in the Decision Record. These special purpose roads will be surveyed and surveys submitted to the BLM. The BLM will monitor construction and use of these roads. If during monitoring, damage to soils or other resource values becomes evident, the proponent will be required to stop activity, engineer the roadway, and construct the road accordingly prior to resuming operations. If resource damage occurs and rectifying the damage necessitated disturbing an area greater than that analyzed or approved, the project or component of the project will be halted while further environmental study occurs.
31. Road maintenance on the access road leading to the North Sweetwater pod will not occur outside the area previously disturbed within the existing white-tail prairie dog

town.

32. The proposed special purpose road, located between the existing upgraded road and the Federal 23-22 (Central Sweetwater pod) will be upgraded to a resource road standard with turnout every 1000 ft as this area will serve as a loop road for the pod.
33. All resource roads will be surveyed and designed by or under the direction of a licensed engineer. These road plans will be submitted to BLM RSFO for review and approval prior to approval of the APD.
34. If development of ruts results in unnecessary or undue damage to soils or other resources, the proponent will be required to re-construct the special purpose road to a higher road standard.
35. Drilling mud will not be used for road plating, surfacing, or development.
36. All rights-of-way issued will include a joint road maintenance standard stipulation.
37. The proponent will notify holders of existing rights-of-way or other permits of planned construction, operations, or maintenance activities.
38. Monitoring of groundwater conditions will be required and findings shall be analyzed prior to any expansion of activities in the area.

Mitigating Opportunities

To prevent harassment of wildlife, Kennedy could adopt a policy restricting firearms and dogs at work locations.